ANNUAL REPORT TO THE MEMBERS OF THE PORTLAND CHAPTER

This is the first time, I believe, since succeeding Judge William L. Dickson that I have written to the members as a whole. Let me say how very much the board and I appreciate your membership in the Portland chapter. The fact that some 275 or more of you have seen fit to join this organization and maintain your membership at this time is significant. Nevertheless, if the search for peace is the cardinal issue of our time and if the United Nations is the principal world instrument to undertake this search it would seem that the membership of the Portland chapter should be tenfold, yes, twentyfold of what it is at present.

Lamentably the United Nations is passing through a period, at least for now, in which it is being overlooked as a principal source for maintaining peace. In fact, to put it more bluntly, it can be said that it is being largely ignored as the primary agent for maintaining international peace and security. Only recently Mr. U Thant, Secretary General, voiced this concern about the United Nations attrition in a speech at Queens College, Kingston, Ontario, when he deplored the trend of the first 5 months of this year, to reduce the United Nations to "merely a debating forum and nothing else."

This lack of vigor of the United Nations which we find on the international level we find on the local level insofar as the Portland chapter is concerned. Consequently, on the local level this has not been a period of significant accomplishment in enlisting support for the United Nations. At most I report to you that for the past 12 months your board and officers have been engaged in an action of stewardship merely to breathe life into the local organization so that, if nothing else, it will continue as a public organization on the local level. This pronouncement may seem harsh to some, even unduly critical or unfair, nevertheless it is a fact that not only must be faced, it must be faced and overcome if the Portland chapter is to have a significant role in this community. In the larger sense, both locally and conceivably internationally, this is all the more tragic in view of the boundless citizen support for the United Nations as the principal instrument to maintain the peace. True, we find on the local level criticism of the United Nations but generally it is ineffective and misses its mark. Thus there exists in this community a formidable reservoir of good will toward the Portland chapter and, more significantly, the United Nations itself.

This is underwritten by the fact that in creating and carrying out our admittedly limited program our organization has had wholehearted and complete cooperation of the most cordial kind from all areas of our community. As a result there exists in Portland a profound abundance of resources and material upon which the Portland chapter can and must build. Nevertheless, if our chapter is going to be, as it has in the past, an organization of preeminence and influence in this community, let alone perform a leading role in enlisting support for the United Nations, it must carry out what I consider to be the following minimal steps:

First, the Portland chapter must obtain the services of at least a permanent part-time secretary who will remove from the shoulders of the board and officers the all too ensnaring and fettering detail that is required of any organization if its books, records, correspondence, program and accounts are to be in order. By this I do not mean to cast the slightest aspersion upon our treasurer, Mr. Herbert Collard, whose financial recordkeeping has at all times been of the highest order.

Second, we must strengthen our program on all levels. This is fundamental, without which all else is as nothing. True, in the past year you have had some meetings that have been highly successful. I call to your attention particularly the impressive gathering in December at Westminster Presbyterian Church when some 350 citizens assembled in the great hall to hear our internationally esteemed Clarke Eichelberger speak on the challenges facing the General Assembly in 1964. I have heard it said that this was one of the largest U.N. gatherings ever held in Portland. The success of this event is due in a large measure to Leon Jourolman, Tom Young, and many others. Then too, I recall with pride the efforts of our indefatigable friend, John W. Pugh, in serving as chairman of the Portland United Nations Week. The culmination of this week in Portland was Mayor Schrunk's reading of his proclamation at half time to some 23,000 spectators at Multnomah Stadium at the Oregon State-Syracuse University football game. Not only did Oregon State win a significant victory that day, but so did the Portland chapter. The example of community cooperation by the U.N., Slats Gill and his Oregon State University was of the first magnitude. Why, Mr. Ted Messang, the musical director of Oregon State University, even wrote a march for the occasion which was played at half time by the band and was named in honor of the United Nations.

These, of course, are examples of program events which reminds the community in no uncertain terms of the United Nations work. Yet there are many areas in which our program must be, and I trust will be, strengthened. For some reason or another we do not have the essential support of the young people in this community. For some reason or another we have not actively enlisted the decisionmakers of tomorrow in our cause. I am speaking about the school age groups on the high school and the college level and the after school years young people. Of the school age group you are aware that our Portland school system does not have a course dedicated principally to the study of international bodies such as the United Nations. If it is important that our students know something of Oregon history, and I submit that it is, then how much more important is it that they at least have some fundamental grasp of international institutions or better, the lack of effective international institutions in the world of today?

The supreme governing rules of the United Nations are collected together in the charter just as the supreme rules of this good country are embodied in the Federal Constitution. We recognize that the conditions today are not the same as were found by the charter creators in San Francisco 20 years ago. Both the founding fathers of the United Nations and those that met in Philadelphia in 1787 recognize the certainty of changing conditions by providing an amendment procedure. In the 20 years after the adoption of the Federal Constitution in 1789, 13 amendments were put to the States and 12 were adopted. If new conditions require amendments to the United Nations Charter this, like any other hard fact, should be faced and overcome. Yet on the local level anyway we find that our organization is doing precious little or nothing by way of study in the field of charter revision.

I ask our new president and officers, therefore, to give the highest priority to programs in terms of content, penetration and timing, as well as in the area of ample planning at an early hour so that the Portland chapter can present to the community in the fall of 1965 a program that will be truly meaningful.

Third, you cannot discuss a program without relating it to membership. Both subjects are closely interrelated and tend to cross-fertilize each other. If we do not have an adequate program our membership list is going to dwindle. If we do have an effective program this, in and of itself, will be most helpful in maintaining and increasing membership. Still, this is not enough. We must obtain the services of a community leader to serve as membership chairman who will do battle on this subject. This we do not have at this time.

I urge our new president and our officers, our incoming board, and all members to give thought to these three categories: a permanent part-time secretary, a vigorous program, and enlarging our membership. Of these categories the area of program is the area of greatest need.

This search for peace is the great quest of our time. It would appear that we will be engaged in this quest for a good many years to come. I hope that you and I will remain on this search team not only for the coming year but in the forseeable years ahead and more immediately will give our new president and board every reasonable support during the coming year.

This week McDivitt and White in carrying out their brave feat nailed another major plank on our bridge to the moon. What use will it serve to put a man on the moon if he cannot view the earth beneath because of it being enveloped by seemingly endless martian clouds. Must this be the prelude to tomorrow and the 21st century? Surely our children are worthy of a better view.

Respectfully submitted.

FRANK A. BAUMAN.

JUNE 7, 1965.

NAVAL EXPERIMENT—HOME UNDER THE SEA

Mr. DOMINICK. Mr. President, yesterday I had the rare opportunity to visit once again with a famous and personable Coloradan, Lt. Comdr. Scott Carpenter. Since his multiple orbiting flight in the *Aurora VII*, he has been assigned to temporary duty with the U.S. Navy and has been training with other carefully selected young men for exploration down instead of up. Scott will be the officer in charge of the naval experiment to live for 45 days far below the surface of the sea. They are scheduled to make free dives to their "home under the sea" off La Jolla, Calif., on August 16, 1965. This home will be 210 feet below the surface, at more than seven times sea level pressures.

Pressurization will be supplied, and helium will be used instead of nitrogen because of the nauseous effects of the latter when it is absorbed into the bloodstream.

Scott himself will attempt to remain below for a continuous 30 days and will be the officer in charge of all the experimental work conducted during the entire period. This will be the longest continuous period that any of them will be below the surface.

It is cold at that depth, so cold that body temperatures drop rapidly, requiring the use of electrically heated suits while in the water, and 90° temperatures in the housing unit. The cold which any of us can envisage, particularly those of use who have done any diving, is accentuated by the use of helium, which is less dense and which vitiates body heat far more rapidly than usual.

From this "home" located 210 feet below the surface, the men will conduct work programs and deeper experimental dives. The deeper dives are scheduled to go below 300 feet, with pres-

sures as high as 150 pounds per square inch.

One of the problems with deep diving is the necessary time required to decompress on the way up, in order to avoid the bends. At a level of 210 feet, for example, it would take 70 hours to decompress properly; but once the pressures have driven the gases into the blood stream, the same 70 hours apply whether a man stays down for 2 hours or 2 weeks. Hence, for any kind of efficient diving schedule, it makes sense to have a place at that depth where the men can rest and remain pressurized and still perform productive work on an extended scale.

It is my understanding that the men who will participate in the program will be conducting realistic experiments which could create a pattern of values for the country and the world almost unlimited in scope. Vast oil reserves are believed to be in existence in the North Sea and in the Continental Shelf. But there are problems in properly spudding the drills at the depths encountered, and many problems in trying to anchor them from the top. One of the experiments which these men will perform at 200 to 300 feet below the sea is the construction of a drilling derrick, called a "Christmas tree" in ordinary trade language. Studies of marine ecology will be conducted, and there is even the possibility of marine agriculture and ranching.

Communications will be maintained not only with the top, but, also, by way of Telstar, with a similar group under the sea off Ville, France, under the command of the famous Jacques Cousteau.

Methods of penetrating the blackness of those depths will be explored, as well as fantastic trips on underwater vehicles. Just as our astronauts are conducting experiments in the effects of long periods of weightlessness, these men will be conducting living experiments in the effect of long continued pressure patterns on the body.

Mr. President, I salute the imagination and courage of this Navy group and its commanding officer. Once more we see this country bringing forth men to match our mountains, men of faith, courage, imagination, and great intellectual capability.

This is no easy task. This is an unusual and deliberate test of man's strength and ability to function productively under adverse conditions in order to expand knowledge of our environment and to apply that knowledge for the beneficial use of future generations, from the heights to the depths in search of knowledge; and once again Colorado is in the lead.

"BIG BROTHER"—WIRETAP VERSUS PRIVACY

Mr. LONG of Missouri. Mr. President, My "Big Brother" item for today is an article from the New York Times of June 15, 1965, entitled "Wiretap Versus Privacy." It is a very excellent article by Mr. Sidney E. Zion, outlining recent judicial developments which indicate that both the State and Federal courts are taking a very strong interest in restricting the activities of "Big Brother."

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WIRETAP VERSUS PRIVACY—COURT'S RECENT RULING ON BIRTH CONTROL SEEN AS WEDGE AGAINST EAVESDROPPING

(By Sidney E. Zion)

The connection between birth control and wiretapping may not seem obvious to the naked eye. But there were legal experts yesterday who predicted that last week's ruling, by the U.S. Supreme Court invalidating Connecticut's birth control statute would very likely mean the outlawing of wiretapping and other forms of electronic eavesdropping.

The link between the two questions is the right of privacy, which was given a constitutional home of its own for ths first time in the Connecticut case.

Ever since 1890, when Louis D. Brandeis and Prof. Samuel Warren argued in the Harvard Law Review for the "right to be let alone," civil libertarians have contended that the right of privacy is implicit in the Bill of Rights.

But until last week this position had never been accepted by the Supreme Court, although in certain specific and peripheral matters a limited right of privacy was recognized.

When the wiretap issue first reached the Court in 1928 in the Olmstead case involving a Seattle bootlegging ring, Mr. Brandeis, who had become an Associate Justice, was forced into dissent on the privacy issue.

By a 5-to-4 vote the Court ruled that wiretapping was outside the protection of the fourth amendment's prohibition of unreasonable searches and seizures. The Court maintained that wiretaping did not involve a physical intrusion on the defendant's premises.

BRENNAN CRITICAL

The Olmstead case, although widely criticized inside and outside the Court—Associate Justice William J. Brennan, Jr., called it "insupportable" 2 years ago in a dissenting opinion—is still the law, since the Court has sidestepped the wiretap issue over the years.

But lawyers yesterday viewed the new right of privacy as enunciated in the Connecticut case as overriding the technical distinction of a physical intrusion that the Court made both in the Olmstead case and in decisions involving other electronic eavesdropping.

Prof. Thomas I. Emerson, of the Yale Law School, who argued for the defense in the birth control case in the High Court, said the ruling "furnishes a substantial basis for declaring wiretapping and other eavesdropping unconstitutional."

"I view it as a very promising development," he declared.

Supreme Court Justice Nathan R. Sobel, who ruled last February in Brooklyn that New York State's "bugging" law was unconstitutional, flatly predicted that the Supreme Court would knock out all forms of eavesdropping.

"I have always believed that the Court could do it on the fourth amendment alone," Justice Sobel said, "but apparently there was resistance to it. Now, with the broadened right of privacy, I think they will have to do it in the next case."

THE MARITAL ASPECT

The majority opinion in the birth control case rested heavily on the fact that the Connecticut statute banned the use of contraceptive devices by married couples. Undoubtedly, law enforcement officials and others who favor wiretapping will argue that the privacy doctrine is limited to marital relationships.

Indeed, the American Civil Liberties Union voiced some caution regarding the extension of the privacy right to wiretapping because the opinion referred so extensively to the marriage relationship.

But the Civil Liberties Union, which has long opposed all forms of eavesdropping, echoed the views of many lawyers in saying that the decision "logically applies in all circumstances where the interest of privacy is paramount."

Opponents of eavesdropping say that it is by nature an invasion of privacy, since it indiscriminately picks up all conversations in the bugged or wiretapped premises.

Thus, they argue, an electronic device "hears" the most intimate conversations between husband and wife as well as other conversations. Therefore they say that, like the birth control statute, it invades "the sanctity" of the marriage relationship, if the argument need be limited to that relationship.

If the Supreme Court does eventually rule out wiretapping it would, of course, put an end to the long congressional fight for legalization, which in the last few years has been led by ROBERT F. KENNEDY, both as Attorney General and Senator.

Wiretapping is now outlawed in Federal courts by the Federal Communications Act, but is permitted in State courts. A constitutional ruling would forbid its use in State courts as well.

The Kennedy proposal would permit wiretap evidence only in serious cases, such as espionage and kidnaping.

But even Mr. KENNEDY, in the New York Times magazine in June 1962, said "wiretapping involves a greater interference with privacy than does the conventional search and seizure."

At that time, of course, privacy was beside the point, legally speaking. Whether it is now relevant is very much the point.

FE KW Dodd

VIETNAM

Mr. DODD. Mr. President, I ask unanimous consent to insert into the RECORD three recent items from the American press which help to illuminate the situation in Vietnam.

The first item is an editorial which appeared in the Bridgeport Telegram on June 12, commending President Johnson for his appeal to the people of the Soviet Union to join us in new initiative for world peace.

The second item is an editorial which appeared in the Boston Traveler for June 10. Commenting on the continuing American troop buildup in South Vietnam and on the increased involvement of American servicemen in the actual fighting there, the editorial says that while "there will be no shortage of critics," these are measures that had to be taken to meet the changing circumstances. The editorial also points out that President Johnson, last year, received congressional aproval to take "all necessary steps" to keep South Vietnam free.

The third item I wish to insert is an editorial which appeared in the Washington Evening Star on June 23, commenting on the TV debate last Monday between Mr. McGeorge Bundy, Prof. Hans Morgenthau, and other speakers on both sides. Having myself witnessed this debate, I believe that the observations of the Star editorialist are extremely well taken. In fact, I think Mr. Bundy did an outstanding job of presenting the administration's case. I plan to say more about this within the next few days.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Bridgeport (Conn.) Telegram, June 12, 1965]

A GOOD TRY BY L.B.J.

"There is no American interest in conflict with the Soviet people anywhere," President Johnson said, in an unusually strong and direct appeal to the people of the Soviet Union to seek new initiatives for world peace.

Adding that "No true Soviet interest is served by the support of aggression or subversion anwyhere," Johnson pledged U.S. cooperation in seeking new roads to peace. At the same time, he told the non-Communist world not to delude itself that peace can be achieved by submissiveness or extended by expediency.

These appeals were made at about the same time that Communist Chinese Premier Chou En-lai was telling Egyptians that only the United States and the Soviet Union could start a world war and that China will defend her own territory if she is attacked, and will not need Soviet aid to finish one.

Chou is talking out of the other side of his mouth, the side he uses to sell emerging nations his peace line. The real side is the ones he uses to clobber the Soviets for not being more belligerent against the United States.

As for President Johnson's appeal to the Soviet people, it has little chance of reaching through the curtain of propaganda their government showers them with. People in Communist countries are powerless to change policy. Witness the bloody attempts in Hungary, East Germany, and Poland.

The President made a good try. It won't satisfy our appeasers but it will keep the record straight for those of us who care.

[From the Boston (Mass.) Traveler, June 10, 1965]

THE NEW WAR

Without any fanfare whatever, the United States has shifted its role in South Vietnam from a restricted position of advisory support to that of ground combat.

That's the meaning of President Johnson's action in giving Gen. William C. Westmoreland authority to order our ground forces into battle against Vietcong, North Vietnamese or any other aggressor. The restrictions are that our forces must be requested by South Vietnam, and that South Vietnamese troops must be fighting alongside ours.

In a sense, this gives Westmoreland a new war to fight. Offensive action may now replace defensive action. A new cycle of escalation probably has begun.

There will be no shortage of critics objecting to this move. Yet it is a step that must be taken to meet the changing circumstances.

The arrival of the monsoon season, just now beginning, will mean a sharp cutback in U.S. air activity. This will permit the Vietcong to hurl heavy ground power against the forces of South Vietnam, which are already badly depleted in some areas. It could be that the Vietcong might sweep to victory in the rainy season unless American troops are moved in to block them.

Our forces in South Vietnam now number about 52,000 men, of whom about 16,000 are combat troops. Indications are that we may double our forces there before the summer is over.

President Johnson several months ago received congressional approval to take "all necessary steps" to keep South Vietnam free. This is one such step.

[From the Washington Evening Star, June 23, 1965]

"VIETNAM DIALOG"

The "Vietnam dialog" presented by CBS Monday night obviously did not convert any of the professors to the administration's point of view. Nevertheless, the show served a useful purpose.

It demonstrated, for one thing, that McGeorge Bundy is indeed a formidable opponent on the debating platform. He was more than a match for the representatives of the academic community, singly or collectively. And the President's aid was especially effective in carving up Prof. Hans Morgenthau, who is generally thought of as the guiding spirit of the academic critics of our policy in Vietnam.

More importantly, it demonstrated that you can't beat something with nothing. In this instance, Bundy's something was a clearly articulated definition of the administration's policy and program. The policy has not yet achieved the desired result. But we may know more about its usefulness six months from now, and in any event it constitutes a tangible, affirmative course of action which can be stated in terms that are understandable.

The great weakness of the position of the other side was that it offered nothing which could rationally be described as an alternative.

Mr. Morgenthau said he is "opposed to our present policy in Vietnam on moral, military, political and general intellectual grounds"—an interesting rhetorical exercise, but it means little or nothing. He also mentioned five "alternatives" to our present policy, and said he favored the fifth. What is it? "I think our aim must be to get out of Vietnam," he said, "but to get out of it with honor." This is an alternative? President Johnson has said essentially the same thing on half a dozen occasions.

One thing more. Mr. Morgenthau seemed to take as his model the French withdrawal from Algeria and Vietnam. He failed to mention that in each case the French were waging a purely colonial war, which is quite a different thing from honoring treaty commitments for the sole purpose of helping South Vietnam maintain its independence in the face of plain aggression by the Communists.

INTEGRATION VERSUS EDUCATION—FRATERNITIES AND CLUBS

Mr. THURMOND. Mr. President, I have been astounded to learn that the U.S. Commissioner of Education, Mr. Francis Keppel, has stretched title VI of the so-called Civil Rights Act of 1964 another extra few miles in his efforts to put integration ahead of education. Mr. Keppel has written a letter stating in effect, that if a college fraternity on a college campus refuses to integrate, then the college itself may be denied Federal funds under title VI of the 1964 Civil Rights Act.

The distinguished news columnist and analyst, David Lawrence, has pointed out, in a column in the Washington Star of June 21, 1965, that this could mean that the Civil Rights Act of 1964 could be made to apply to all private clubs, groups, and associations, although in the debate over this legislation it was made very clear that it was not to apply to any private clubs, groups, or associations.

The National Observer of June 21, 1965, has also pointed with alarm to Mr. Keppel's action. The editorial in the National Observer makes the point that the Commissioner of Education has apparently failed to distinguish between college facilities and property and the facilities and property owned by others—in this case, a social fraternity.

I ask unanimous consent that both of these commentaries be printed in the RECORD at the conclusion of these remarks.

There being no objection, the editorial and the article were ordered to be printed in the RECORD, as follows:

[From the National Observer, June 21, 1965]

Colleges may lose their Federal aid money if one Federal official decides a fraternity on the campus is practicing racial discrimination.

The official is Francis Keppel, Commissioner of Education, a fellow who has distinguished himself by also saying "schools can teach no lesson more important for all our children than integration." Under his new dictum, not only could one college lose its grants if one fraternity discriminates. Also, all colleges having chapters of a national fraternity, one of whose chapters discriminates, could lose their Federal money.

Mr. Keppel believes this is required by the Civil Rights Act of 1964. The law requires schools to assure the Federal Government that there is no discrimination in "making available for the use of students any building, room, space, materials, equipment or property."

Says Mr. Keppel: "This language makes it apparent that an institution which maintains a fraternity system as part of its activities and overall program is responsible under the Civil Rights Act requirements for assuring that discrimination is not practiced by the fraternities in the system."

Well, fraternities have long been unpopular in many circles for various practices ranging from hazing to snobbery, with an occasional dash of envy thrown in. They make a convenient handle, certainly. But that is not an argument we care to go into.

What interests us is the apparent leap in logic by the Commissioner, an apparent disinclination to distinguish between university facilities and property, and facilities and property owned by others.

We are fascinated also to see that, yes, indeed, Federal grants to colleges are not only a carrot but a stick. A stick that doesn't have much to do with education unless, of course, you believe that "schools can teach no lesson more important for all our children than integration."

[From the Washington Star, June 21, 1965]

CLUBS' RIGHT OF PRIVACY PERILED

(By David Lawrence)

The way has been opened to compel every fraternity in the colleges, universities and high schools, every private club and every fraternal organization to include in its membership persons of every race and religion or suffer as a penalty the loss of Federal tax exemption. In the case of educational institutions, there would be a loss of Federal financial aid to the university or college which permits any campus organization to practice racial or religious discrimination.

These steps are foreshadowed by the interpretation of the Civil Rights Act of 1964 just isused by the administration through the office of the U.S. Commissioner of Education, Francis Keppel.

The Federal Government intervened recently when it was discovered that the local

chapter of the Sigma Chi Fraternity at Stanford University in California had been suspended by the national chapter for having decided to admit a Negro student. The national chapter is a private organization. It is not under the jurisdiction of the Federal Government, nor does it receive any financial assistance from Washington. But the U.S. Commissioner of Education warned in a letter that, unless the Stanford chapter were allowed to include the Negro student in its membership, Stanford University itself would be penalized.

This extraordinary threat is contained in the Commissioner's pronouncement. It states first that there must be no discriminatory practices in "making available for the use of students any building, room, space, materials, equipment or other facility or property." Then the Commissioner points to the regulations which were issued supposedly under the authority of the Civil Rights Act of 1964 and which require schools to give assurances that there is no racial discrimination "in admission practices or any other practices of the institution relating to the treatment of students." Furthermore, the Commissioner declares:

"This language makes it apparent that an institution which maintains a fraternity system as a part of its activities and overall program is responsible under the Civil Rights Act requirements for assuring that discrimination is not practiced by the fraternities in the system.

"To my knowledge the suspension of Sigma Chi at Stanford by the fraternity's national executive committee is the first major test involving de facto discrimination within a national fraternity to develop since passage of the Civil Rights Act of 1964. As such, it seems certain to attract wide public interest."

Unfortunately, though the letter was made public last Thursday, it hasn't attracted "wide public interest." But possibly this is because the American people—particularly those who are identified with clubs, fraternities or other social organizations—haven't discovered as yet that the new ruling makes a mockery of what the Supreme Court of the United States said just a few days before on the importance of preserving the "right of privacy" as an inherent part of the Constitution itself.

While almost everyone with human sympathy and understanding recognizes that discrimination by reason of race or religion gives the individual affected a feeling of unforgetable stigma, there is a bigger injustice in brushing aside constitutional methods and endeavoring to achieve reform by applying the doctrine that "the end justifies the means."

There is nothing in the Constitution which permits the Federal Government to control the educational process in America. The mere grant or loan of taxpayers' money to the States or directly to colleges or universities does not carry with it the right to exercise any jurisdiction over such matters as regulating the conduct or relationships of students to each other.

But if a regulation can be derived from the civil rights law of 1964 empowering the Federal Government to use its financial transactions with the citizens to impose punishment for actions which are not in themselves forbidden by State or Federal law, then the way is opened to apply the same procedure to fraternal organizations of all kinds, as well as private clubs generally. It can be done by denying them exemptions from the payment of income taxes in those years in which their receipts exceed expenditures.

It apparently would be sufficient for the Treasury to declare that the Civil Rights Act of 1964 authorizes the withholding of financial assistance to any organization or institution which permits discrimination on racial or religious grounds. Certainly in these days of official word twisting, financial assistance is a broad enough term to cover tax exemptions.

Thus, Federal power could be used as a form of coercion in private clubs in the same way it is about to be exercised in passing upon the qualifications for membership in student fraternities in colleges and universities throughout the United States.

MINORITY OPINION—PROTESTS HELD HEALTHY

Mr. McGEE. Mr. President, Roscoe Drummond stands up today to disagree with Americans who have decided that campus debates on Government policy are a bad and unhealthy thing, and with those who attribute to radicals the ferment among the academies of the land.

Many of us disagree with the loudest voices heard at the many teach-ins across the land, but, nevertheless, accept the opinions and convictions of the professors as honest. Certainly we do not quarrel with their right to be heard. Mr. Drummond states this very well in his article, which I think the Members of this body and all other Americans can profit from. Therefore, I ask unanimous consent that the article, which was published in the Washington Post, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MINORITY OPINION—PROTESTS HELD HEALTHY

(By Roscoe Drummond)

A recent Louis Harris poll reveals two startling and disturbing facts:

That a majority of Americans who have followed the campus teach-ins and student protests over Vietnam feel that these actions are "a bad thing," unhealthy, to be condemned.

That a near-majority does not even concede honesty of conviction to the protesting professors and students and dismisses the teach-ins as something organized by "radicals."

I dissent.

As one who strongly supports the rightness and necessity of President Johnson's unwavering defense of South Vietnam, I think that the teach-in movement is overwhelmingly honest in purpose and is not harmful or unhealthy.

I think it is helpful and healthy for these reasons:

1. There are nearly 5 million college students in the United States. Many can already vote. Nearly all of them will be voting in the next presidential election. Far better that they should be sharpening their concern about the real world than swallowing goldfish as they did in the 1930's or indulging the woes of the "bland generation" or the "beatnik generation" as they did in the 1950's. It's healthy.

2. We needed more debate and more public discussion—for the Government's stand on Vietnam and against it—and we were not getting it until the campus teach-ins helped to stimulate it.

3. Criticism of the Government does not hurt. It helps. It serves to focus and stabilize public opinion. Did the anti-Vietnam teach-ins undercut support for the President's course in Vietnam? No, just the opposite.

In the wake of the teach-ins the Gallup poll revealed three changes in public opinion—Support for quitting Vietnam went up 1 percent, support for defending went up 7 percent; the personal popularity of President Johnson went up 6 percent; support for the Democratic Party as the best guardian of the peace went up 3 percent.

4. The expression of unpopular, minority opinion—about Vietnam or anything else—ought to be respected and defended. The only way to protect the right of free speech for the majority is to protect the rights of the minority. Let's not look down at minority opinion; let's look up to it—and meet it head on in the arena of free speech.

5. But shouldn't we close ranks in time of war, ideally, yes. But this must be voluntary. It cannot be brought about by compulsion or coercion. Furthermore, our stake in the defense of South Vietnam is not so self-evident that it does not need more exposition and debate.

The truth is that the size of our commitment to defend South Vietnam has grown in a way that made it difficult for the American people to really know where we stood until the President's Baltimore speech of last April.

Our military help was to be "advisory." It became far more than advisory.

Our troop buildup in 1961 and 1962 was kept secret by President Kennedy. We had 2,000 men in Vietnam in 1961 and 11,000 in 1962. This buildup was not disclosed to the country until January 1963.

The size of our forces in Vietnam has now grown to 75,000 as of this month.

I believe that President Johnson is acting wisely to resist this aggression right where it is taking place. I believe that to permit it to succeed could only mean larger aggression under worse circumstances.

But public opinion has not been well served until recent weeks and it is only fair to state the facts candidly. That is what we need more of.

HONORABLE-MENTION ESSAYS ON "MAKING DEMOCRACY WORK"

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for the graduating high school seniors in Wyoming the McGee Senate internship contest, which brings to Washington one boy and one girl for a week of observation of democracy in action in the Senate and elsewhere in Washington, D.C.

As a part of the contest, each student is required to complete an essay on the subject, "Making Democracy Work." Each year, I am impressed by the depth of understanding and the dedication to our democratic principles displayed in the essays by these young people. All show real thought and a thorough knowledge of our system of Government.

Of course, it would be impossible for everyone to read all the essays; but I think some of the most outstanding ones, selected by an impartial panel of three judges, should receive wider circulation. Therefore, I ask unanimous consent that two of the essays, written by Mary Dean, of Basin, Wyo., and Alan Feiner, of Cheyenne, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

MAKING DEMOCRACY WORK

(By Mary Dean, of Basin, Wyo.)

Our Founding Fathers were practical men who fought for their independence, wrote our Constitution, and subdued the hardships of the wilderness. Some of them were dreamers who dreamed of a Nation with

sulting from fish and wildlife enhancement would not be available only to the nearest community.

Mr. JACKSON. Often the benefits might go to those far beyond the adjacent community.

Mr. COOPER. The Senator has said that the provisions in the bill are guidelines. I see the distinguished chairman of the appropriations subcommittee, the Senator from Louisiana [Mr. ELLENDER] in the Chamber. Assuming that the Public Works Committees of the Senate and the House, or the Appropriations Committees dealing with projects of the Corps of Engineers found, upon considering an authorization bill or appropriation bill, that a particular flood control project was vitally needed for flood protection and could not be brought under the proposed guidelines, could those committees decide in specific cases that the cost-sharing guideline or cost-sharing formula should be waived with respect to a particular facility?

Mr. JACKSON. There is no question about that. I again emphasize that the pending proposed legislation merely represents guidelines for the executive branch to follow prior to the submission of project proposals for consideration by the Congress. When they are submitted, Congress can take any action it finds appropriate. Similarly, the Appropriations Committee can take whatever action it might deem fit.

The bill is, I reemphasize, principally a broad-gaged policy directive to the executive branch by which it is stated, "These are some of the criteria that we believe you should generally follow in planning."

When a project is submitted, it will be up to Congress to decide whether to accept, reject, or modify it.

Mr. COOPER. That raises another point. The Senator has referred to the submission of projects to the Congress.

The Senator has said—and I believe he is correct—that the appropriate committee—for example, the Committee on Public Works with respect to an authorization bill and the Committee on Appropriations with respect to an appropriation bill for, say, a Corps of Engineers project—could take whatever action it thought proper. I have noted your expectation, as the floor manager of this bill, S. 1229, that the Bureau of the Budget and the water-resource agencies would give most careful and sympathetic consideration to the cost-sharing problems we have been discussing here, and my distinguished colleague, who is chairman of the Interior and Insular Affairs Committee which reported this legislation, has said that the intent of this bill is for the Bureau of the Budget to consider this problem with a view to recommending whether an exception to these guidelines would be in order in situations such as I have outlined in eastern Kentucky, where flood protection is vitally needed.

The Senator from Washington [Mr. JACKSON] has said that nothing in this bill is to be taken to mean that a committee of the Congress cannot take action it deems proper with respect to any particular facility. In this regard, it would be recognized that the Bureau of the Budget, the Corps of Engineers, or any other agency which makes a study or is responsible for making recommendations to the Congress in regard to flood protection facilities would not be directed in every case to apply the formula for local sharing of separable costs as included in this bill. Could the Bureau of the Budget, the Corps of Engineers, and other agencies, if they found in a particular case that it would be inequitable to apply the formula, or if they found that it would be impossible for such a formula to be applied and still enable construction of the needed flood protection facility, or if they found that the overriding need for flood protection was so great that the formula should not be insisted upon, recommend to the Congress either the authorization of a project or appropriations for a project without requiring the assurance of sharing in connection with the separable costs provision?

Mr. JACKSON. I fully appreciate the very real importance of the problem the Senator from Kentucky describes. There is no question that the Director of the Budget Bureau has authority to recommend an exception to the planning guidelines of S. 1229 when special circumstances warrant it.

I am sure that we are not wise enough—I must confess that I am not learned enough—to look so far in advance as to be able to state that the guidelines in this legislation are immutable. Obviously, they are mutable. They will always be so. But there is a need, I believe, for some broad planning directives to the executive agencies in regard to water projects. We need wise and prudent standards. That is what we are trying to establish here. I believe that the Congress will continue, as it should, to exercise its discretion properly and make its final decision on the merits in every case. But this legislation does not purport to prejudge the future in the field of public works, reclamation, or in any other area of resource development.

Mr. COOPER. I appreciate the reason the Senator has given for the provision of these guidelines, which may help in the establishment of some priorities among projects.

Mr. JACKSON. That is correct.

Mr. COOPER. But we all know that some are much more necessary than others. I assume also that the purpose is to insure that we do not get away from the basic purposes of flood control, navigation, and water resource control, so it is important to provide for very careful study and determination before submission, authorization, and construction of projects which may be mostly concerned with recreation, fish, and wildlife enhancement.

My concern has been that a rigid application of this formula might deny to the States—not only to my State, but to other States, as well—and to areas that are stricken year after year by awful floods, the possibility of flood protection. I am much pleased by the Senator's statement that the guidelines are not rigid, immutable rules that must be followed in every case.

One other question: Some officials of my State, some communities of my State, and the people of some communities have expressed a fear, which I felt at the beginning of the consideration of this problem, that a public body might be required to supply funds immediately, either by way of appropriations or from the sale of bonds, and might not be able to do so. Does the Senator from Washington know whether or not this method of assuring and paying the separable cost has been considered and might be approved; that is, that over a period of years the separable cost may be amortized and repaid by user funds?

Mr. JACKSON. We deliberately made provision for repayment from entrance and user fees or charges within 50 years of first use of project recreation or fish and wildlife enhancement facilities. The clear intent of the planning guidelines—again, I emphasize planning guidelines—is to give to local public entities the broadest possible assurances of an opportunity to participate in the program on a reasonable basis.

Mr. COOPER. I thank the Senator from Washington for his consideration and for his answers.

Mr. JACKSON. I compliment the Senator from Kentucky for his thoughtful contribution to the proper understanding of this legislation.

Mr. ELLENDER. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I yield to the Senator from Louisiana.

Mr. ELLENDER. As I understand the bill, it is, more or less, to make uniform the rules and regulations that now apply or that can be applied by the Corps of Engineers, so that they may be applicable to the Bureau of Reclamation.

Mr. JACKSON. We have had policies that have been inconsistent with respect to Corps of Engineers and Bureau of Reclamation projects.

Mr. ELLENDER. To what extent would the regulations apply to the Corps of Engineers?

Mr. JACKSON. The Corps of Engineers and the Bureau of Reclamation could be subject to uniform planning guidelines with respect to recreation and fish and wildlife benefits and costs. For example, we provide for reimbursability in connection with the separable costs of recreation and fish and wildlife enhancement facilities.

Mr. ELLENDER. My whom?

Mr. JACKSON. By local public bodies. In regard to fish and wildlife, reimbursability is required where the benefits are of a local nature.

Mr. ELLENDER. The next question is not in respect to the pending business. I was busy this morning holding hearings on the farm bill. I was informed that the Senate had passed S. 602, which had been reported by the Committee on Interior and Insular Affairs.

As I understand, the purpose of the bill, according to the report, is to increase the authorization of funds available for the loan and grant program from the present $100 to $200 million; second, to raise the limitation on loans or grants of Federal funds on single projects from $5 million to a limit of $7.5

million; third, to make the interest rate payable by the Treasury as provided in the Water Supply Act of 1958, instead of the rate of the average annual yield on long-term Government obligations. Is the Senator from Washington familiar with that particular interest rate? Can he say how it differs from what the law now provides?

Mr. JACKSON. First, in connection with the small reclamation projects, to which the bill, S. 602, is directed, I should mention that the interest rate requirement in the act is different from that in regular reclamation law. The Small Reclamation Projects Act, to which the Senator has referred, requires that the portion of the loan applicable to municipal and industrial water, power, and excess lands be repaid with interest.

Mr. ELLENDER. Is the same principle being applied to these projects?

Mr. JACKSON. Yes. Under the Small Reclamation Projects Act, loans for nonirrigation facilities and features are repayable with interest. When a single-purpose reclamation project has been completed, the principal is repaid, but without interest.

Mr. ELLENDER. But as to the small reclamation projects——

Mr. JACKSON. That principle does apply. All that is involved here is the rate of interest to be applied to small reclamation projects. As the Senator knows, the argument over interest rates has been going on for a long time.

Mr. ELLENDER. I know that. That is why I am raising the question.

Mr. JACKSON. What we have followed in this instance is to attempt to make the rate on the interest-bearing features of small reclamation projects conform to interest rates on regular Federal water projects.

Mr. ELLENDER. According to the report, the third item of amendment would:

> Make the interest rate that payable by the Treasury, as provided in the Water Supply Act of 1958, instead of that of the average annual yield on long-term Government obligations; interest on loans currently outstanding would be revised retroactively to this rate.

I should imagine that the purpose of that amendment is to provide a little relief in the interest field. Am I correct in that assumption or not?

Mr. JACKSON. Yes, the Senator is correct. But the problem is one of uniformity. The amendment would make the rate on small projects conform to that on regular Federal water projects with respect to the interest bearing features.

Mr. ELLENDER. Not if the payment is made retroactive and the rate of interest is lowered. The Government would be out of interest in some way. Iwonder if the Senator could be more specific.

Mr. JACKSON. The bill would change the interest rate in the Small Projects Act to make it the same as now applicable under the Water Supply Act formula. That is all that we are doing at this time. The rate would be the same.

Mr. ELLENDER. And that rate is what?

Mr. JACKSON. Approximately 3¼ percent, I believe.

Mr. ELLENDER. Regardless of what the Government pays for that money, we are providing that it be 3¼ percent; is that correct?

Mr. JACKSON. We are providing for it on the basis of the formula that has been in effect since 1958.

Mr. ELLENDER. What is the present rate of interest?

Mr. JACKSON. The Water Supply Act formula interest rate is 3⅛ percent for fiscal 1965.

Mr. ELLENDER. The rate of interest is 3⅛ percent under existing law.

Mr. JACKSON. That is correct.

Mr. ELLENDER. What would it be under the bill that was acted on, I presume, on the Consent Calendar, without any opposition and without anyone knowing what was being done here? What would the rate be under S. 602?

Mr. JACKSON. It would be 3⅛ percent, which the Secretary of the Treasury has certified to be the average rate of interest paid on the long-term securities of the United States which are neither due nor callable for 15 years from the date of issue.

Mr. ELLENDER. Mr. President, has the motion to reconsider been made on S. 602? I would like to move to reconsider, if I am in order. I have been trying to watch some of these bills.

The PRESIDING OFFICER. No motion to reconsider was made.

Mr. ELLENDER. Mr. President, I enter a motion to reconsider the vote by which the bill was passed.

The motion is entered.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the conference report was agreed to.

Mr. HILL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COOPER. Mr. President, I appreciate very much the explanation of the distinguished Senator from Washington and his interpretation of the various sections of the conference report.

The Senator from Washington knows that I have absolute confidence in everything he says, and there is no question in my mind about the statement or interpretation of the Senator. However, I am concerned about the interpretation that some agency in the executive branch may give to this legislation. I am concerned specifically that the Bureau of the Budget might apply these guidelines so strictly that, in some cases—where flood protection is vitally needed—the construction of vital flood control facilities might be delayed for a long time.

For that reason, I am constrained to vote against the bill, but I shall write the President again about these problems and to call the attention of the executive agencies to them and to the intent discussed here. Mr. President, I ask that my vote to be recorded in the negative.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 40 TO PROVIDE UNIFORM POLICIES WITH RESPECT TO RECREATION AND FISH AND WILDLIFE BENEFITS

Mr. JACKSON. Mr. President, I submit a concurrent resolution—Senate Concurrent Resolution 40—concerning the bill (S. 1229) to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multipurpose water resource projects, and ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution—Senate Concurrent Resolution 40—to correct the enrollment of S. 1229.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington?

There being no objection, the concurrent resolution was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of the bill (S. 1229), to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes, is authorized and directed to strike out the words "Act of 1965" in the last line of subsection (h) of section 6.

Mr. JACKSON. Mr. President, the concurrent resolution was necessary to correct a technical error in citation in subsection 6(h) of S. 1229 as reported by the committee of conference. No change of substance is in any way involved.

LEO M. MONDRY

The PRESIDING OFFICER. The Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (S. 321) for the relief of Leo M. Mondry.

FE (VAP) Proxmire

OPEN DISCUSSION ON VIETNAMESE SITUATION IS HEALTHY AND WISE

Mr. PROXMIRE. Mr. President, in this morning's Washington Post there appears a column by Roscoe Drummond on the national debate over Vietnam.

I agree with President Johnson on his Vietnamese policies. I believe that they make sense. The President is right in continuing our 10-year commitment to South Vietnam to help it resist aggression. He is right in doing all that he can to seek negotiation. I recognize that the facts are far from clear, and there

is a great deal of room for disagreement on the part of many.

I believe that what Mr. Drummond has to say in his column in this morning's Washington Post is unusually significant. He calls attention to the fact that close to a majority of the American people believe that the protests and teachings on Vietnam are not even sincere. A majority feel that while they may be sincere, they are unhealthy and unwise and bad for the country.

It seems to me that, in these circumstances, a protest in our universities is in the best American tradition. I believe that with regard to Vietnam that it serves a useful purpose. Indeed, I believe that our policies have already been refined, improved, modified on the basis of some of those criticisms.

The debate between Mr. Bundy and Mr. Morgenthau on television recently was a most enlightening and informative discussion and was one of the most instructive programs that television has carried this year.

We have had throughout our history a tradition of protest, even in periods of dire national peril. How can any Senator forget that it was the Senate of the United States which was the foundation for the protest against President Wilson's involvement in World War I? Indeed, my predecessor in this seat, once or twice removed, Senator Bob LaFollette, did a great deal in trying to slow down our involvement in World War I by means of his vigorous and vehement criticism of President Wilson. We know that in World War II there were voices of dissent raised—as they should have been—in the Senate. We know that the same thing occurred in the Korean war.

I believe that the debate that we have had on South Vietnam is far from an unhealthy or unwise thing. I believe that it is very useful. I believe that if anything is needed, it would be more of this debate, more vigorous dissent and discussion. After all, a democracy is only a democracy when the people are fully informed on the pros and cons of vital policies, and what policies are currently more vital than our actions in Vietnam? What policies require greater information or enlightenment?

For that reason, I ask unanimous consent that the column published in this morning's Washington Post entitled "Minority Opinion—Protests Held Healthy," by Roscoe Drummond, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROTESTS HELD HEALTHY

(By Roscoe Drummond)

A recent Louis Harris poll reveals two startling and disturbing facts:

That a majority of Americans who have followed the campus teach-ins and student protests over Vietnam feel that these actions are "a bad thing," unhealthy, to be condemned.

That a near-majority does not even concede honesty of conviction to the protesting professors and students and dismisses the teach-ins as something organized by "radicals."

I dissent.

As one who strongly supports the rightness and necessity of President Johnson's unwavering defense of South Vietnam, I think that the teach-in movement is overwhelmingly honest in purpose and is not harmful or unhealthy.

I think it is helpful and healthy for these reasons:

1. There are nearly 5 million college students in the United States. Many can already vote. Nearly all of them will be voting in the next presidential election. Far better that they should be sharpening their concern about the real world than swallowing goldfish as they did in the 1930's or indulging the woes of the "bland generation" or the "beatnik generation" as they did in the 1950's. It's healthy.

2. We needed more debate and more public discussion—for the Government's stand on Vietnam and against it—and we were not getting it until the campus teach-ins helped to stimulate it.

3. Criticism of the Government does not hurt. It helps. It serves to focus and stabilize public opinion. Did the anti-Vietnam teach-ins undercut support for the President's course in Vietnam? No, just the opposite.

In the wake of the teach-ins the Gallup poll revealed three changes in public opinion—Support for quitting Vietnam went up 1 percent; support for defending went up 7 percent; the personal popularity of President Johnson went up 6 percent; support for the Democratic Party as the best guardian of the peace went up 3 percent.

4. The expression of unpopular minority opinion—about Vietnam or anything else—ought to be respected and defended. The only way to protect the right of free speech for the majority is to protect the rights of the minority. Let's not look down at minority opinion; let's look up to it—and meet it head-on in the arena of free speech.

5. But shouldn't we close ranks in time of war? Ideally, yes. But this must be voluntary. It cannot be brought about by compulsion or coercion. Furthermore, our stake in the defense of South Vietnam is not so self-evident that it does not need more exposition and debate.

The truth is that the size of our commitment to defend South Vietnam has grown in a way that made it difficult for the American people to really know where we stood until the President's Baltimore speech of last April.

Our military help was to be "advisory." It became far more than advisory.

Our troop buildup in 1961 and 1962 was kept secret by President Kennedy. We had 2,000 men in Vietnam in 1961 and 11,000 in 1962. This buildup was not disolosed to the country until January 1963.

The size of our forces in Vietnam has now grown to 75,000 as of this month.

I believe that President Johnson is acting wisely to resist this aggression right where it is taking place. I believe that to permit it to succeed could only mean larger aggression under worse circumstances.

But public opinion has not been well served until recent weeks and it is only fair to state the facts candidly. That is what we need more of.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHITE HOUSE SIT-IN

Mr. LAUSCHE. Mr. President, a few days ago a judge in Washington imposed a 6-month jail sentence upon certain young men and women who, in a defiant way, entered the White House and sat down, thus defying the requests and commands to leave, and remained in the White House for a rather protracted period of time in violation of the law.

The judge who imposed the sentence was Judge Scalley, in the court of general sessions.

There has been some discussion as to the propriety of the sentence imposed. There are some who have expressed the view that the 6-month sentence is too severe and cannot be justified in any manner, when one considers the need of justice in our courts.

Mr. President, the imposition of sentences in criminal cases to precisely meet the seriousness of the offense committed is a rather difficult problem. The judge who has heard the testimony and listened to the answers given by the accused must use what he believes is his best judgment in determining the type of sentence that will in the best interest of the people be imposed upon the offender. I was a judge for 10 years.

Mr. President, in that experience on the bench, my recollection is that I approached the imposition of penalty on certain bases. First, I wanted to learn whether the act of the defendant was one of deliberation and premeditation; second, whether the offense was committed under compulsion of economic want; third, whether the offense was the consequence of a mind that was immature in its capacity to determine what a proper social course of conduct ought to be; and, fourth, to ascertain whether the individual had previously been involved in criminal misconduct.

One who commits an offense because of a limited intellectual capacity to understand his social responsibilities likewise must be treated with some degree of leniency. Judge Scalley had before him a group of offenders who, with premeditation and deliberation, violated the law. These young men who decided to enter the White House as visitors, knowing in advance that when they got into the White House they intended to sit down, challenge the officers of the Federal Government, and refuse to leave when request was made upon them. In my opinion, this offense was one of deliberate and premeditated intention of violating the law.

We now come to the question as to whether or not what these young men did was a serious challenge to duly constituted government and law enforcement officials. All but one who were sentenced are students in college. It cannot be said of them that their capacity to think and recognize their social responsibility was limited. It cannot be said that they were driven by economic pressure to commit the offense. What

they did was deliberate and premeditated. They challenged the sanctity of the White House. They challenged the authority of duly constituted government officials and law enforcement officers.

If these boys are to be dealt with leniently, with a slap on the wrist, I ask the question, What will be the impact on boys in the future concerning their responsibility to comply with law and order?

We speak about liberty in our country, but we cannot have liberty unless there is obedience to law and order. When law and order are defied, liberty leaves, and leaves with great speed. Those of us who want to preserve for the future the liberties provided for us in the Constitution owe a grave responsibility to see to it that law and order are maintained.

In the administration of the criminal laws of our country, there must be a blend of tenderness and firmness. Unless there is that blend, the result is, if the penalties are too severe, eventually that juries will not convict, and judges will not convict. But if there is a leniency beyond reason shown to offenders, the net result is that encouragement is given to all others to defy law and order.

The Senator from Arkansas has just mentioned the status of criminal conduct within our country.

On the floor of the Senate, I venture to say that in the past 6 months we have dealt with half a dozen bills trying to help youth stay out of crime. Bills have been passed providing aid to youth. No one objects to those efforts. But, unless the courts will deal firmly with offenders who deliberately and premeditatedly violate the law, there will be trouble.

What is the status of the moral picture in America today? In one State, 80 persons are under indictment for corruption in Government. In another State, a number of judges have admittedly been involved in the acceptance of bribes in the administration of justice. All these things contribute to a general disrespect for law and order.

I comment further on the propriety of the sentence imposed in this case by Judge Scalley. Judge Scalley presided over the trial. He heard the evidence. He therefore understood the gravity of what happened. He decided that these men should serve 6 months in jail. I am prepared to rely on his judgment in a greater degree than I am prepared to rely on those who are not fully familiar with the complexities of the case, and who are not officially burdened with the responsibility of executing the law.

The time has come when these sit-in demonstrations—which are thought out, planned, and then put into action—must be dealt with by the lawful authorities with a degree of severity far greater than has been practiced in the past.

My final view is that the sentence imposed by Judge Scalley will have a salutary effect upon the maintenance of law and order throughout the country. It will be an example to other persons in authority to exert themselves to prevent disobedience to law and order. In my judgment, it will strengthen the backbone of the presidents and boards of regents of our universities. It will strengthen the backbone of other judges in the country. The net result will be constructive and wholesome in the maintenance of law and order which is so vitally needed today.

Mr. President, I yield the floor.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Arkansas.

Mr. McCLELLAN. I believe it can be said—at least this is my observation; I think millions of Americans will join me in this conclusion—that we now have more lawlessness and greater disrespect for law, and the lowest respect for law and order in the United States than ever before in its history.

I believe that comments such as the distinguished Senator from Ohio is referring to and the kind of support given to those who, as the Senator has observed and stated, willfully defy constituted authority, knowing they are doing it, simply contribute to further disrespect for law. These who disrespect the law and those who want to violate the law will get solace and comfort from that kind of support.

I do not think there is anyone in America today who, by reason of the article being published, has greater respect for law and order than he would have had. I simply think it is support for those who today deliberately violate the law and who feel they can get off with light punishment and, in many cases, no punishment at all. They will feel a greater defiance for the law and exercise a greater defiance for the law from this sort of moral support than would be so if there were a demand for tighter enforcement and greater punishment for crime than is the rule in our land today.

I wish to commend the Senator for his remarks.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, is the Senate in the morning hour?

The PRESIDING OFFICER. Morning business has been closed.

Mr. MANSFIELD. What is the pending business?

The PRESIDING OFFICER. Senate bill 321.

PUBLIC HEALTH SERVICE ACT—AMENDMENT

Mr. MANSFIELD. Mr. President, I move that the pending business be temporarily laid aside and that the Senate proceed to consider Calendar No. 357, S. 596.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 596) to amend the Public Health Service Act to assist in combating heart disease, cancer, and stroke, and other major diseases.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments.

Mr. HILL. Mr. President, the Committee on Labor and Public Welfare has approved, without a dissenting vote, S. 596, that would assist communities in establishing regional medical complexes to combat heart disease, cancer, and stroke.

The toll of heart disease, cancer, and stroke in terms of human suffering, pain, and hardship cannot be measured. But we do know that the three killers in this country affected the lives of 30 million persons and their families and friends in 1963. We also know that 1,187,558 lives of Americans ended with the cause of death listed as heart disease, cancer, or stroke in the same year.

Heart disease, cancer, and stroke account for 71 percent of the deaths in this country and for 51 percent of the deaths of our people under 65 years of age.

The economic cost to the Nation for the ravages wrought by heart disease, cancer, and stroke amounted to $31.5 billion in 1962. This total includes an estimated $4 to $5 billion in direct costs of care and treatment as well as the indirect costs associated with loss of earnings due to disability and premature death.

A panel to our country's most distinguished medical authorities and laymen has reported to the President and to this committee that we can eliminate several hundred thousand unnecessary deaths each year if we bring to our citizens the full benefit of what we know today about prevention, detection, treatment, and cure in the case of heart disease, cancer, and stroke. It is to this purpose that S. 596 addresses itself.

I ask unanimous consent to include in the CONGRESSIONAL RECORD the membership of the President's Commission on Heart Disease, Cancer, and Stroke.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

MEMBERSHIP OF PRESIDENT'S COMMISSION ON HEART DISEASE, CANCER, AND STROKE

Dr. Michael E. DeBakey, professor and chairman, Department of Surgery, Baylor University College of Medicine, Houston, Tex., Chairman.

MEMBERS

Dr. Samuel Bellet, professor of clinical cardiology, Graduate School of Medicine, University of Pennsylvania, Philadelphia, Pa.

Mr. Barry Bingham, editor and publisher, Louisville Courier-Journal, Louisville, Ky.

Mr. John M. Carter, editor, McCall's magazine, New York, N.Y.